

REMARKS

Claims 1, 2, 4-8 and 10-12 are pending. By this response, claims 1, 7, 10-12 amended and claims 3 and 9 cancelled. Reconsideration and allowance based on the above amendments and following remarks are respectfully requested.

Allowable Subject Matter

Applicants note with appreciation the indication of claims 3-6 and 9-11 as containing allowable subject matter and would be allowable if rewritten to include all the limitations of the base claim and any intervening claims.

Prior Art Rejection

The Office action rejects claims 1-2, 7-8 and 12 under 35 U.S.C. §103(a) as being unpatentable over Herbst, et al. (US 6,321,161). This rejection is respectfully traversed.

Applicants note that independent claim 1 has been amended to include claim 3 and independent claim 7 has been amended to include the features of claim 9. As the features of claims 3 and 9 were indicated as allowable, the incorporation of these features into independent claims 1 and 7 necessarily brings independent claims 1 and 7 in condition for allowance.

Regarding claim 12, applicants have amended claim 12 to include the feature of “a bypass storage device operatively connected to said route searcher that stores the bypass setting for a retrieval by said route searching doing route searching.” This particular feature is similar to the features recited in dependent claims 3 and 9 and thus should be allowable for the same reasons. Alternatively, applicants respectfully submit that Herbst fails to teach or suggest a bypass storage device as indicated above in combination with the other features of claim 12.

Therefore, in view of the above, applicants respectfully submit that the rejections with regard to independent claims 1 and 7 are moot. Thus, applicants respectfully request withdrawal of the rejections of independent claims 1, 7 and 12.

Applicants respectfully submit that the application is now in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

Conclusion

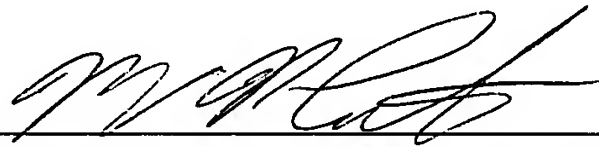
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings (Reg. No. 48,917) at the telephone number of the undersigned below, to

conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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MRC/ĈJB:cb
1163-0385P

Attachment(s)

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